

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 22-07094-SK Date: November 8, 2022

Title Farran Elder et al v. Walmart Inc.

Present: The Honorable: Steve Kim, United States Magistrate Judge

<u>Connie Chung</u> Deputy Clerk	<u>n/a</u> Court Reporter / Recorder
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Attorneys Present for Plaintiff(s):

None present

Attorneys Present for Defendant(s):

None present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL
FOR LACK OF PROSECUTION**

Plaintiffs are ORDERED to show cause why this case should not be dismissed for lack of prosecution. Link v. Wabash R. Co., 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion).

In the present case, it appears that the below time period has not been met. Accordingly, the Court, on its own motion, orders Plaintiffs to show cause, in writing, on or before **November 22, 2022**, why this action should not be dismissed for lack of prosecution. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of Plaintiffs' response. Failure to respond to this Order to Show Cause will be deemed consent to the dismissal of the action.

- Defendant Walmart Inc. did not answer the complaint, yet Plaintiffs have failed to request entry of default, pursuant to Fed. R. Civ. P. 55(a). Plaintiffs can satisfy this order by seeking entry of default or by dismissing the complaint.

IT IS SO ORDERED.